

**Public Works
CITY OF AUSTIN**

**AGENDA # 21
DATE: 4/20/2006**

**RECOMMENDATION FOR
COUNCIL ACTION**

Subject: Authorize the negotiation and execution of a contract for the sale of two water line easements (1) 3,751 square feet and (2) 3,707 square feet for the Hamilton Pool Water Line and (1) 3,751 square feet and (2) 3,624 square feet temporary working space to the benefit of the Lower Colorado River Authority (LCRA) from a 928 acre tract known as Little Barton Creek purchased for the May 2, 1998 Bond Election, Proposition 2, Barton Springs Clean Drinking Water Project in the amount of \$1,265.

Amount and Source of Funding:

Fiscal Note: There is no unanticipated fiscal impact. A fiscal note is not required.

Requesting Department: PW

For More Information:

Prior Council Action:

Boards and Commission Action:

LCRA purchased the Uplands Water Treatment Plant in 1995. It has taken LCRA several years to expand its water system to the point where service to Hamilton Pool Road is feasible from both an engineering and financial perspective. The Hamilton Pool Road water line will provide service to several planned new developments and will also bring service to two existing utilities, both dependent on an unreliable ground water supply. Both Deer Creek and Madrones Utilities have been instructed by the Texas Commission on Environmental Quality (TCEQ) to secure an alternative water supply. In May of 2004 the LCRA Board of Directors passed a resolution directing staff to

negotiate with landowners in the area to provide water service through the project. In December 2004, the LCRA Board of Directors approved agreements with landowners to provide service through the project. In November 2005, the LCRA Board of Directors authorized funding for this project.

LCRA is requesting two water line easements and two temporary work space easements from a tract of land known as Little Barton Creek (LBC). LBC is a 928 acre tract that was purchased July 1999 as part of the May 2, 1998 Bond Proposition 2 Barton Springs Clean Drinking Water program. In addition to the \$1,265 for the easements, as additional compensation LCRA (1) will provide a new fencing, (2) provide standard practices to address oak wilt which will specify that equipment is disinfected between cuts on different oak trees and all wounds are sealed immediately after cuts are made, including cuts at ground level or stump cuts, (3) cut down the water line to a minimum depth of 6.5 feet to allow for a future driveway planned on LBC, and (4) meet all specifications to provide for seeds and topsoil.

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

EXHIBIT A

Page 1 of 3

FIELDNOTE DESCRIPTION, to accompany sketch of even date prepared by Capital Surveying Company, Inc., of a 0.0861 acre tract of land in the Wilhelm Conradi Survey No. 70, Abstract No. 211. Travis County, Texas and being a portion of that 920.41 acre tract described in a deed to the City of Austin, recorded as Document No. 1999067970 of the Official Public Records of Travis County, Texas, said 0.0861 acre tract of land is more particularly described by metes and bounds as follows:

BEGINNING at a ½" iron rod found on the easterly right-of-way line of State Highway RM 3238 (Hamilton Pool Road - variable width right-of-way) and being the common northwest corner of said 920.41 acre tract and southwest corner of that 36.667 acre tract conveyed to Wayne E. and Carol-Lynne Meissner by deed recorded as Document No. 2002187984 of the said Official Public Records and having Texas State Plane Coordinates, Central Zone (NAD 83/93), of N = 10,081,560.072, E = 3,033,426.582;

THENCE, S61°11'56"E leaving the easterly right-of-way line of State Highway RM 3238, with the common line between said 920.41 acre tract and said 36.667 acre tract, a distance of 25.27 feet to a calculated point for the northeast corner of the herein described tract;

THENCE, S20°24'04"W, across the 920.41 acre tract, a distance of 149.98 feet to a calculated point on the common line between the 920.41 acre tract and the remainder of that 9.958 acre tract described in a deed to Maryanne McDonald recorded in Volume 7919, Page 620 of the Deed Records of Travis County, Texas and being the southeast corner of the herein described tract;

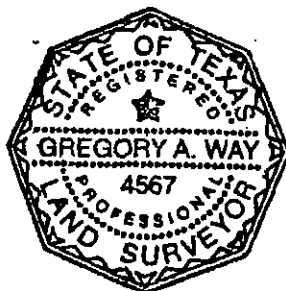
THENCE, N61°10'01"W, with the common line between said 920.41 acre tract and said remainder tract, a distance of 25.27 feet to a ½" iron rod with cap found on the easterly right-of-way line of State Highway RM 3238 for the common southwest corner of the 920.41 acre tract and the northwest corner of the remainder of that 9.958 acre tract;

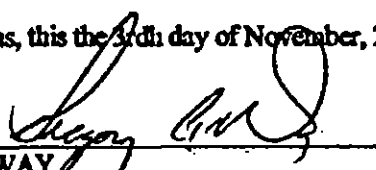
THENCE, N20°24'04"E, with the common easterly right-of-way line of Hamilton Pool Road (RM 3238) and westerly line of said 920.41 acre tract, a distance of 149.97 feet to the POINT OF BEGINNING, CONTAINING within these metes and bounds 0.0861 acre of land area.

Note: Basis of Bearing is the Texas State Plane Coordinate System, Central Zone, NAD 83.

I, Gregory A. Way, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and that the easement described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this the 3rd day of November, 2005.



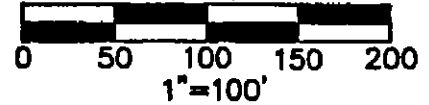

GREGORY A. WAY
Registered Professional Land Surveyor
No. 4567 - State of Texas

LCRA ACAD FILE: GTRA034A-0001A.DWG
LCRA WORD FILE: GTRA034A-0001A.DOC

**SURVEY OF 0.0861 ACRE
OUT OF THE
WILHELM CONRADI SURVEY No. 70
ABST No. 211
TRAVIS COUNTY, TEXAS**

EXHIBIT A

Page 2 of 3



LEGEND

O.P.R.T.C.	OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY
T.C.D.R.	TRAVIS COUNTY DEED RECORDS
TCE	TEMPORARY CONSTRUCTION EASEMENT
()	RECORD INFORMATION
[]	RECORD INFORMATION PER TxDOT STRIP MAP
⊗	TxDOT TYPE I CONCRETE MONUMENT
●	1/2" IRON ROD FOUND
⊗	1/2" IRON ROD FOUND WITH CAP
▲	CALCULATED POINT
~	BREAK IN SCALE

70.47 AC.
CECIL DOUGLAS PERKIND
AND
MOZELLE W. PERKINS
Vol. 5935 Pg. 1990
T.C.D.R.

**POINT OF
BEGINNING**
TEXAS STATE PLANE
COORDINATES
CENTRAL ZONE
NAD 83/93 DATUM
N= 10081560.072
E= 3033426.582

36.887 AC.
WAYNE E. MEISSNER
AND
CAROL-LYNNE MEISSNER
Doc. No. 2002187984
O.P.R.T.C.

WILHELM CONRADI
SURVEY No. 70
ABST. No. 211
(N37°03'00"E 878.00')
(N30°14'20"E 677.72')

920.41 AC.
CITY OF AUSTIN
Doc. No. 1999067970
O.P.R.T.C.

F. P. HEFFINGTON
SURVEY No. 647
ABST. No. 415

REMAINDER OF
9.958 AC.
MARYANNE McDONALD
Vol. 7919 Pg. 620
T.C.D.R.

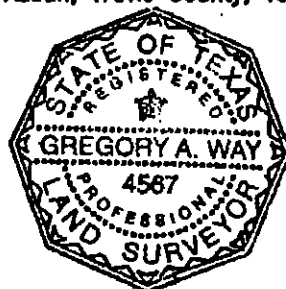
**TCE =
0.0861 ACRE**

L1	S61°11'56"E	25.27'
L2	S20°24'04"W	149.98'
L3	N61°10'01"W	25.27'
L4	N20°24'04"E	149.97'
	(N21°37'50"E)	(150.00')

That I, Gregory A. Way, a Registered Professional Land Surveyor do hereby certify that the above map or plat is true and correct to the best of my knowledge and that the property shown hereon was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 3rd day of November, 2005.

GREGORY A. WAY
Registered Professional Land Surveyor
No. 4567 - State of Texas



BEARING BASIS: Bearings are grid bearings based on the Texas State Plane Coordinate System, Central Zone, Established by GPS Observation.

LCRA PARCEL 2B
CSCI PARCEL 114
PAGE 2 OF 3

Dwg. # 05505E14.dwg

CSCI

1101 Capital of Texas Highway South
Austin, Texas 78746

CAPITAL
SURVEYING
COMPANY
INCORPORATED
Building G, Suite 110
(512) 327-4806

LCRA FILE: GTRA034A-0001A.DWG

**SURVEY OF 0.0861 ACRE
OUT OF THE
WILHELM CONRADI SURVEY No. 70
ABST No. 211
TRAVIS COUNTY, TEXAS**

EXHIBIT A

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TITLE COMMITMENT NOTES

THIS SURVEY WAS PREPARED USING THAT INFORMATION CONTAINED IN SCHEDULE "B" OF THE TITLE COMMITMENT PREPARED BY ALAMO TITLE COMPANY, G.F. NO. 05-7045429, DATED AUGUST 11, 2005. THIS SURVEY SHOWS THE TITLE INFORMATION CONTAINED THEREIN, WITH THE FOLLOWING CLARIFICATIONS OR EXCEPTIONS.

10d.) Electric and telephone line easement granted to the City of Austin, recorded in Volume 880, Page 32, Deed Records Travis County, Texas.

(Unable to locate - May affect)

10e.) Electric and telephone line easement granted to Pedernales Electric Cooperative, Inc., recorded in Volume 4057, Page 979, Deed Records of Travis County, Texas. (Does not affect)

10f.) Electric and telephone line easement granted to the City of Austin, recorded in Volume 10209, Page 233, Real Property Records of Travis County, Texas. (Does not affect)

10g.) Electric and telephone line easement granted to the City of Austin, recorded in Volume 10209, Page 240, Real Property Records of Travis County, Texas. (Does not affect)

10h.) Electric and telephone line easement granted to the City of Austin, recorded in Volume 10209, Page 247, Real Property Records of Travis County, Texas. (Does not affect)

10i.) Water and wastewater easement granted to the Lower Colorado River Authority, recorded in Volume 13011, Page 369, Real Property Records of Travis County, Texas. (Does not affect)

LCRA PARCEL 2B
CSCI PARCEL 114
PAGE 3 OF 3

Dwg. # 05505E14.dwg

CSCI

1101 Capital of Texas Highway South
Austin, Texas 78746

CAPITAL
SURVEYING
COMPANY
INCORPORATED
Building B, Suite 110
(512) 327-4006

EXHIBIT A
Page 1 of 3

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

FIELDNOTE DESCRIPTION, to accompany sketch of even date prepared by Capital Surveying Company, Inc., of a 0.0851 acre tract of land in the Wiley B. D. Smith Survey No. 808, Abstract No. 699, Travis County, Texas and being a portion of that 7.675 acre tract described in a deed to the City of Austin, recorded as Document No. 2000095690 of the Official Public Records of Travis County, Texas, said 0.0851 acre tract of land is more particularly described by metes and bounds as follows:

BEGINNING at a ½" iron rod found on the southerly right-of-way line of Hamilton Pool Road (RM 3238, variable width right-of-way) and being the common northwest corner of the aforesaid 7.675 acre tract and northeast corner of that 0.80 acre tract described in a deed to Dick M. Allison and wife, Billie L. Allison, recorded in Volume 7447, Page 455 of the Deed Records of Travis County, Texas, said beginning point having Texas State Plane Coordinates, Central Zone (NAD83/93) of N=10083463.746 and E=3037683.896;

THENCE, with the common southerly right-of-way line of Hamilton Pool Road and northerly line of said 7.675 acre tract, the following two (2) courses:

- 1) N89°47'18"E, a distance of 81.56 feet to a ½" iron rod found for an angle point;
- 2) S82°30'29"E, a distance of 68.40 feet to the calculated northeast corner of the herein described tract, from which a TxDOT Type I monument found for an angle point on the said common line between Hamilton Pool Road and the 7.675 acre tract, bears S82°30'29"E, 229.92 feet;

THENCE, leaving the southerly right-of-way line of Hamilton Pool Road across the said 7.675 acre tract, the following three (3) courses;

- 1) S07°29'31"W, a distance of 25.00 feet to the calculated southeast corner of the herein described tract;
- 2) N82°30'29"W, a distance of 66.72 feet to a calculated angle point;
- 3) S89°47'18"W, a distance of 79.88 feet to a calculated point on the common line between said 7.675 acre tract and the aforesaid 0.80 acre tract and being the southwest corner of the herein described tract;

0.0851 Acre
Proposed Water Line Easement - Parcel 2A
Hamilton Pool Road Project
Page 2 of 2

Wiley B. D. Smith Survey No. 808, Abst. No. 699
November 30, 2005
05505.71

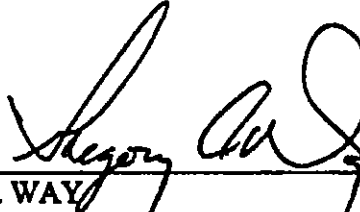
EXHIBIT A
Page 2 of 3

THENCE, N00°12'42"W, with the common line between said 7.675 acre tract and said 0.80 acre tract, a distance of 25.00 feet to the POINT OF BEGINNING, CONTAINING within these metes and bounds 0.0851 acre of land area.

I, Gregory A. Way, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and that the easement described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 30th day of November, 2005.





GREGORY A. WAY
Registered Professional Land Surveyor
No. 4567 - State of Texas

LCRA ACAD File: GTRA 034A-0002A.DWG
LCRA WORD File: GTRA 034A-0002A.DOC

L1	S82°30'29"E	L3	N82°30'29"W
68.40'		66.72'	
L2	S07°29'31"W	L4	N00°12'42"W
25.00'		25.00'	

S82°30'29"E
68.40'
L2

N82°30'29"W
66.72'
L4

S07°29'31"W
25.00'

N00°12'42"W
25.00'

THE DODD ADDITION
Vol. 76 .Pg. 69
T.C.P.R.

LEGEND

(RM 3238)
HAMILTON POOL ROAD
(VARIABLE WIDTH R.O.W.)

TCE = 0.0832 A

LOT 1
CIRCLE G RANCH
ADDITION
Vol. 78, Pg. 42
TCBR

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the
30th day of November, 2005.

STATE OF TEXAS
REGISTERED
PROFESSIONAL
LAND SURVEYOR
GREGORY A. WAY
4567

**NOTE: TO OBTAIN GRID
DISTANCES, DIVIDE DISTANCE BY
THE COMBINED SCALE FACTOR
OF 1.00009**

LCRA FILE: GTRA034A--0002A.DWG

EXHIBIT A
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Dwg. # 05305E1.dwg

TSU

1101 Capital of Texas Highway South
Austin, Texas 78744

RIGHT OF WAY
TEMPORARY CONSTRUCTION EASEMENT
RADIAL BEARING
TxDOT TYPE I CONCRETE MONUMENT
1 1/2" IRON ROD SET WITH CAP
MARKED "CAPITAL SURVEYING Co., INC."
1 1/2" IRON ROD FOUND
CALCULATED POINT

BYRON & LISA WILCOX
Doc. No. 2000031416
3,280 AC.
O.P.R.T.C.

(415.21°)
(S04°01'59"E)

CH=61.63
CHB=5724825'E

EXHIB

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RB=51534.54'W

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